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13 Attorneys for Defendants
14 WELLS FARGO BANK, N.A.; WELLS FARGO &
COMPANY

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION
17

18 MONTE RUSSELL, on behalf of
19 himself and others similarly situated,

20 Plaintiff,

21 vs.

22 WELLS FARGO & COMPANY,
23 Defendants.
24

CASE NO. C 07-03993 CW

JUDGE CLAUDIA WILKEN
COURTROOM 2

**STIPULATION RE EXTENSION
OF BRIEFING SCHEDULE ON
PLAINTIFF’S MOTION TO
STRIKE OR INVALIDATE RULE
68 OFFERS; ORDER APPROVING
EXTENSION**

25
26 Plaintiff Monte Russell (“Plaintiff”) and Defendants Wells Fargo Bank, N.A.
27 and Wells Fargo & Company (“Defendants”), through their respective counsel,
28 pursuant to Local Rule 6-2, hereby stipulate as follows:

1 WHEREAS, on September 11, 2008, Plaintiff filed a Notice of Motion and
2 Motion to Strike or Otherwise Invalidate Defendant's Rule 68 Offers of Judgment
3 ("Motion");
4

5 WHEREAS, on September 30, 2008, Plaintiff filed an Amended Notice of
6 Motion and Motion to Strike or Otherwise Invalidate Defendant's Rule 68 Offers of
7 Judgment, setting the hearing date on the Motion for December 11, 2008;
8

9 WHEREAS, on November 20, 2008 this Court approved the parties'
10 stipulation seeking a continuation of the hearing date to January 8, 2009;
11

12 WHEREAS, on December 23, 2008, this Court approved the parties'
13 stipulation seeking a continuation of the hearing date to February 19, 2009;
14

15 WHEREAS, on January 30, 2009, this Court approved the parties' stipulation
16 seeking a continuation of the hearing date to March 5, 2009.
17

18 WHEREAS, the parties are continuing to engage in extensive and thorough
19 settlement negotiations and have halted discovery and other litigation pending
20 settlement negotiations; and
21

22 WHEREAS, the parties wish to conserve their and the Court's resources in
23 the event that a settlement is reached.
24

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26 //

27 //

28 //

1 NOW, THEREFORE, through their respective counsel, THE PARTIES
2 HEREBY STIPULATE AS FOLLOWS:

3
4 1. The hearing on Plaintiff's Motion is continued from March 5, 2009, to
5 May 7, 2009, at 2 p.m.

6
7 2. The deadline for Defendants to file a response to Plaintiff's Motion
8 shall be measured from the continued hearing date.

9
10 DATED: March 2, 2009

LARSON KING, LLP
T. JOSEPH SNODGRASS
KELLY A. SWANSON

11
12
13 By: /s/ T. JOSEPH SNODGRASS
14 T. JOSEPH SNODGRASS

15 Attorneys for Plaintiff
16 MONTE RUSSELL

17
18 DATED: March 2, 2009

HODEL BRIGGS WINTER LLP
GLENN L. BRIGGS
THERESA A. KADING

19
20
21 By: /s/ THERESA A. KADING
22 THERESA A. KADING

23 Attorneys for Defendants
24 WELLS FARGO BANK, N.A.; WELLS FARGO
& COMPANY

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 3/4, 2009

A handwritten signature in blue ink, appearing to read "Claudia Wilken", with a long horizontal flourish extending to the right.

CLAUDIA WILKEN
DISTRICT COURT JUDGE